

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL PEEKS,)
Petitioner,) Civil Action No. 06-1146
v.) Judge Conti
COMMONWEALTH OF PENNSYLVANIA,) Magistrate Judge Caiazza
BOARD OF PROBATION AND PAROLE,)
et al.,)
Respondents.)

MEMORANDUM ORDER

Michael Peeks' Petition for Writ of Habeas Corpus was transferred to this Court from the United States District Court for the Eastern District of Pennsylvania on August 28, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on April 30, 2007, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Peeks be dismissed and that a certificate of appealability be denied. The parties were allowed ten days from the date of service to file objections. The Petitioner filed objections on May 14, 2007 (Doc. 16). The objections appear to make arguments not relevant to the issues raised or simply reiterate arguments already addressed in the report and recommendation.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 18th day of May, 2007,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Michael Peeks is dismissed, and a certificate of appealability is denied.

The Report and Recommendation of Magistrate Judge Caiazza (Doc. 15) is adopted as the opinion of the court.

s/Joy Flowers Conti
Joy F. Conti
United States District Judge

CC:
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